



ERW

1616

PATENT

ATTORNEY DOCKET NO. 04712/042001

Certificate of Mailing: Date of Deposit: April 6, 2005

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Christine M. Colbert

Printed name of person mailing correspondence

Christine M. Colbert

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dosuk D. Lee et al. Art Unit: 1616  
Serial No.: 08/729,343 Examiner: Sharmila S. Gollamudi  
Filed: October 16, 1996 Customer No.: 21559  
Title: ORTHOPEDIC AND DENTAL CERAMIC IMPLANTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATUS INQUIRY

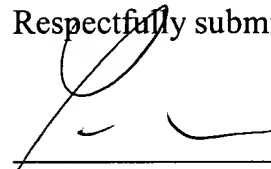
Applicants hereby inquire as to the status of the Petition to Correct Inventorship (including (1) Statement Under 37 C.F.R. § 1.48(a)(1); (2) an Oath and Declaration by all inventors; (3) Written Consent of the Assignee to Take Action; (4) a Statement Establishing Right of Assignee to Take Action; and (5) a check in the amount of \$130.00), which was filed in the above-captioned application on **December 4, 1998**. A review of the file and a telephonic communication with Examiner Gollamudi on April 4, 2005 shows that no decision was made on the Petition. A copy of the Petition is submitted herewith. Speedy consideration of the Petition is requested.

If there are any charges or any credits, please apply them to Deposit Account No.

03-2095.

Respectfully submitted,

Date: April 6, 2005

  
\_\_\_\_\_  
Paul T. Clark  
Reg. No. 30,162

Clark & Elbing LLP  
101 Federal Street  
Boston, MA 02110  
Telephone: 617-428-0200  
Facsimile: 617-428-7045



**COPY**

Attorney Docket No. 0245352-0013  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lee et al.  
Serial No: 08/729,343  
Filed: October 16, 1996  
For: ORTHOPEDIC AND DENTAL CERAMIC IMPLANTS

ASSISTANT COMMISSIONER FOR PATENT  
WASHINGTON, D.C. 20231

Sir:

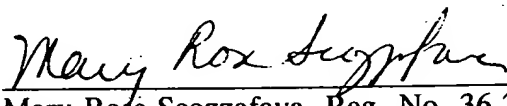
**PETITION FOR CORRECTION OF INVENTORSHIP**

Applicants hereby requests that the inventorship in the above-identified application be amended to reflect only the names of the actual inventors. In particular, Applicants hereby request that Aliassghar Tofighi be added as an inventor as to claims 3,6,7,23 of the above-identified application. Pursuant to this Petition, enclosed please find:

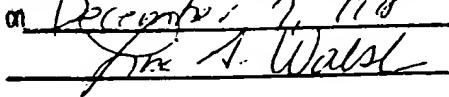
1. A Statement under 37 CFR §1.48(a)(1) by Aliassghar Tofighi that he is an inventor and that the error in inventorship occurred without deceptive invent on his part;
2. An Oath and Declaration by all the actual inventors;
3. Written Consent of the Assignee to take action in naming Aliassghar Tofighi as inventor;
4. Statement Establishing Right of Assignee to Take Action; and
5. A check in the amount of \$130 to cover the fee set forth §1.17(i).

Please charge any additional fees or credit any overpayment to our Deposit Account No. 03-1721.

Respectfully Submitted,

  
Mary Rose Scozzafava, Reg. No. 36,268

Choate, Hall & Stewart  
Exchange Place  
53 State Street  
Boston, MA 02109  
(617) 248-5000  
December 4, 1998  
DS1.448919.1

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231  
on December 7, 1998  




ATTORNEY'S DOCKET NO.: 0245352-0013

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Lee, *et al.*  
Serial Number: 08/729,343  
Filed: October 16, 1996  
For: ORTHOPEDIC AND DENTAL CERAMIC IMPLANTS

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**  
**(37 CFR 3.73(b))**

The assignee of the entire right, title and interest, Etex Corporation, hereby seeks to take action in the Patent and Trademark Office in the above matter.

Ownership by the assignee is established as follows:

  X   documents already recorded in the PTO on 3/21/97.

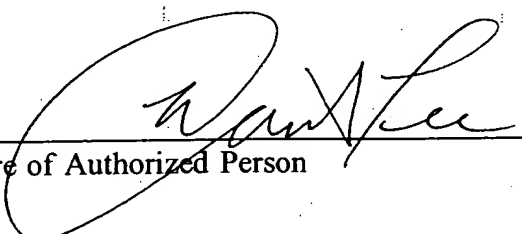
Reel   8418   Frame   0721   ; and

       documents separately submitted for recordal to the PTO (a copy of these documents is attached).



**STATEMENT**

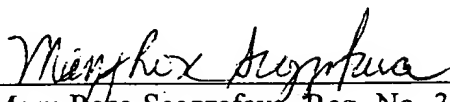
I, a person authorized to sign on behalf of the assignee, have reviewed the evidentiary documents referred to above and certify that, to the best of my knowledge and belief, title is mine/ours as assignees who seek to take further action.

  
\_\_\_\_\_  
Signature of Authorized Person

Dosuk Lee  
\_\_\_\_\_  
Name of Authorized Person

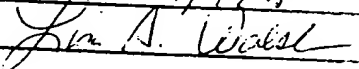
Chief Scientific Officer  
\_\_\_\_\_  
Title of Authorized Person

Respectfully submitted,

  
\_\_\_\_\_  
Mary Rose Scozzafava, Reg. No. 36,268

Choate, Hall & Stewart  
Exchange Place  
53 State Street  
Boston, MA 02109  
(617) 248-5000

Date: September 21, 1998  
DS1.434314 December 4, 1998

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231 on December 7, 1998  
  
\_\_\_\_\_  
Lisa A. Walsh



ATTORNEY'S DOCKET NO.: 0245352-0013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lee, et al.  
Serial Number: 08/729,343  
Filed: October 16, 1996  
For: ORTHOPEDIC AND DENTAL CERAMIC IMPLANTS

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

WRITTEN CONSENT OF THE ASSIGNEE  
STATEMENT

I, a person authorized to sign on behalf of the assignee, of the entire right, title and interest, Etex Corporation, hereby authorize consent to take action in the Patent and Trademark Office to add Aliassghar Tofighi as an inventor in the above referenced Application.

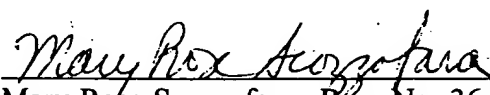
  
\_\_\_\_\_  
Signature of Authorized Person

Dosuk Lee

\_\_\_\_\_  
Name of Authorized Person

\_\_\_\_\_  
Chief Scientific Officer  
Title of Authorized Person

Respectfully submitted,

  
\_\_\_\_\_  
Mary Rose Scozzafava, Reg. No. 36,268

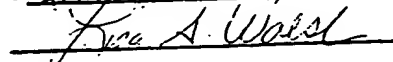
Choate, Hall & Stewart  
Exchange Place  
53 State Street  
Boston, MA 02109  
(617) 248-5000

Date: ~~September 21, 1998~~

DS1.434308

*December 4, 1998*

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231 on December 7, 1998

  
\_\_\_\_\_  
Eric A. Walsh



## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### ORTHOPEDIC AND DENTAL CERAMIC IMPLANTS

the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices, and fill in the blanks, if applicable):

\_\_\_\_\_ is attached hereto

X was filed on October 16, 1996 as Application  
Serial No. 08/729,343 and amended on \_\_\_\_\_  
(if applicable).

\_\_\_\_\_ was filed as PCT international application No. \_\_\_\_\_,  
on \_\_\_\_\_ and was amended under PCT Article 19  
on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

(Number)	(Country)	(Day/Month/Year/Filed)	Yes	No
----------	-----------	------------------------	-----	----







## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### ORTHOPEDIC AND DENTAL CERAMIC IMPLANTS

the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices, and fill in the blanks, if applicable):

\_\_\_\_\_ is attached hereto

X was filed on October 16, 1996 as Application  
Serial No. 08/729,343 and amended on \_\_\_\_\_  
(if applicable).

\_\_\_\_\_ was filed as PCT international application No. \_\_\_\_\_,  
on \_\_\_\_\_ and was amended under PCT Article 19  
on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 or any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year/Filed)	Yes	No
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(Number) (Country) (Day/Month/Year/Filed) Yes No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>08/650,764</u>	<u>May 20, 1996</u>	<u>pending</u>
(Application Serial No.)	(filing date)	(status)

<u>08/446,182</u>	<u>May 19, 1995</u>	<u>pending</u>
(Application Serial No.)	(filing date)	(status)

PCT Applications designating the United States:

<u>(PCT Appl. No.)</u>	<u>(filing date)</u>	<u>(status)</u>
<u>(PCT Appl. No.)</u>	<u>(filing date)</u>	<u>(status)</u>

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:  
Sam Pasternack, Reg. No. 29,576; David J. Powsner, Reg. No. 31,868;  
Mary Rose Scozzafava, Reg. No. 36,268; Mary Raynor Jimenez, Reg. No. 37,219; and  
Brenda Herschbach Jarrell, Reg. No. 39,223.

Address all telephone calls to Mary Rose Scozzafava at telephone no. (617) 248-5000.

Address all correspondence to Mary Rose Scozzafava, Choate, Hall & Stewart, Exchange Place, 53 State Street, Boston, Massachusetts 02109-2891.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of first inventor: Dosuk D. Lee

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 50 Longwood Avenue, Apt. 518, Brookline, Massachusetts 02146

Citizenship: United States

Post Office Address: same

Full name second inventor: Christian Rey

Inventor's signature:  Date: \_\_\_\_\_

Residence: Lieu-dit "Les Dames" Aureville 31320 Castanet, France

Citizenship: France

Post Office Address: same

Full name third inventor: Maria Aiolova

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 123 Seawall Avenue, Brookline, Massachusetts 02146

Citizenship: Bulgaria

Post Office Address: same

Full name fourth inventor: Aliassghar Tofighi

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 204 Waverly Street, Belmont, MA 02178

Citizenship: France

Post Office Address: same

CHOATE, HALL & STEWART

Exchange Place  
53 State Street  
Boston, MA 02109-2891

FLEET BANK, N.A.

235252

PAY ONE HUNDRED THIRTY AND 00/100 DOLLARS

Comm of Patents & Trademarks

Washington, DC 20231

TO  
THE  
ORDER  
OF

CHOATE, HALL & STEWART

DATE	12/04/98
NET AMOUNT	\$130.00

*Eric A. Moseley*

AUTHORIZED SIGNATURE

⑈ 235252⑈ ⑆ 011000138⑆ 00054 22720⑈

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